

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2008**

1953

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2008

**RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL
BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN
CONNECTION WITH THE REHABILITATION OF VARIOUS
BRIDGES AND EMBANKMENTS (CAPITAL PROGRAM
NUMBER 5850)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION REQUESTS SUFFOLK COUNTY TO
EXPEDITE THE REPAIRS OF THREE SUFFOLK COUNTY BRIDGES.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

10:44:00 AM
OCT 15 2008

1953

Intro. Res. No. - 2008

Laid on the Table 10/14/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CAPITAL PROGRAM NUMBER 5850)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Rehabilitation of Various Bridges and Embankments (Goose at Grand, Town of Southold, and Woodside at Waverly, Town of Islip; and Woodside at Buckley, Town of Brookhaven; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$600,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (1), (2) and (33) of Title 6 of New York Code of Rules and Regulations ("NYCRR"). Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete this project, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5566
 Project Title: CR 4, Commack Road Traffic Flow Improvements at LIE Service Road

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	\$500,000	\$735,000B	\$135,000B
Total	<u>\$1,550,000</u>	<u>\$200,000O</u>	<u>\$200,000O</u>
Project No.: 5850		\$1,085,000	\$485,000

Project Title: Rehabilitation of Various Bridges and Embankments

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	<u>\$6,220,000</u>	<u>\$525,000B</u>	<u>\$1,125,000B</u>
TOTAL	\$6,295,000	\$600,000	\$1,200,000

and be it further

5th RESOLVED, that the proceeds of \$600,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 5850.320 (Fund 001 Debt Service)	50	Rehabilitation of Various Bridges and Embankments	\$600,000

Date:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CAPITAL PROGRAM NUMBER 5850)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE.		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		September 25th, 2008

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$54,438	\$0.10		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$54,438	\$0.10		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 15
 Amount to Bond: \$600,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$29,687.40	\$24,750.00	\$54,437.40	\$54,437.40
			\$11,762.70	\$11,762.70	
11/1/2009	4.125%	\$30,912.00	\$11,762.70	\$42,674.70	\$54,437.40
			\$11,125.14	\$11,125.14	
11/1/2010	4.125%	\$32,187.12	\$11,125.14	\$43,312.26	\$54,437.40
			\$10,461.28	\$10,461.28	
11/1/2011	4.125%	\$33,514.84	\$10,461.28	\$43,976.12	\$54,437.40
			\$9,770.03	\$9,770.03	
11/1/2012	4.125%	\$34,897.33	\$9,770.03	\$44,667.36	\$54,437.40
			\$9,050.28	\$9,050.28	
11/1/2013	4.125%	\$36,336.85	\$9,050.28	\$45,387.12	\$54,437.40
			\$8,300.83	\$8,300.83	
11/1/2014	4.125%	\$37,835.74	\$8,300.83	\$46,136.57	\$54,437.40
			\$7,520.47	\$7,520.47	
11/1/2015	4.125%	\$39,396.46	\$7,520.47	\$46,916.93	\$54,437.40
			\$6,707.92	\$6,707.92	
11/1/2016	4.125%	\$41,021.57	\$6,707.92	\$47,729.48	\$54,437.40
			\$5,861.85	\$5,861.85	
11/1/2017	4.125%	\$42,713.71	\$5,861.85	\$48,575.55	\$54,437.40
			\$4,980.87	\$4,980.87	
11/1/2018	4.125%	\$44,475.65	\$4,980.87	\$49,456.52	\$54,437.40
			\$4,063.56	\$4,063.56	
11/1/2019	4.125%	\$46,310.27	\$4,063.56	\$50,373.83	\$54,437.40
			\$3,108.42	\$3,108.42	
11/1/2020	4.125%	\$48,220.57	\$3,108.42	\$51,328.98	\$54,437.40
			\$2,113.87	\$2,113.87	
11/1/2021	4.125%	\$50,209.67	\$2,113.87	\$52,323.53	\$54,437.40
			\$1,078.29	\$1,078.29	
11/1/2022	4.125%	\$52,280.82	\$1,078.29	\$53,359.11	\$54,437.40
		\$600,000.00	\$216,560.99	\$816,560.99	\$816,560.99

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: September 30, 2008

RE: C.P. 5850 – Rehabilitation Various Bridges and Embankments, (Goose at Grand, Town of Southold, and Woodside at Waverly, Town of Islip; and Woodside at Buckley, Town of Brookhaven)

Attached are a draft resolution and duplicate copy to appropriate the sum of \$600,000 for construction in connection with the above referenced project. There are insufficient funds included in the 2008 Capital Budget and Program for this project and, as such, an offset must be provided. It is our intent to utilize \$600,000 in construction funds from C.P. 5566 for this project.

These bridges have been issued a red flag for structural steel failure by New York State Department of Transportation. They have been supported temporarily; however, they require immediate repairs.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5850.doc".

TL:WH:sk
attach.

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Theresa D'Angelo, Principal Clerk (Cover memo only)
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

I.R. 1953A-08

BOND RESOLUTION NO. ____ - 2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$600,000 BONDS TO FINANCE THE COST OF THE REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CP 5850.320)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$600,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the rehabilitation of various bridges and embankments, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000. The plan of financing includes the issuance of \$600,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and

168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

Dated: _____

APPROVED: _____
County Executive, Suffolk County

Date of Approval: _____, 2008

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2008**

1954

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2008

**RESOLUTION NO. -2008, AMENDING THE 2008
CAPITAL BUDGET PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH
THE COUNTY SHARE OF RECONSTRUCTION OF
CR 16, PORTION/HORSEBLOCK ROAD, TOWN OF
BROOKHAVEN (CAPITAL PROJECT NUMBER
5511 PHASE I)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE THIS PROJECT IS FEDERALLY
FUNDED AND IS TIME SENSITIVE WITH THE RISK OF FUNDS BEING
RESCINDED BY THE FEDERAL HIGHWAY ADMINISTRATION. WITHOUT THE
APPROVAL OF THE COUNTY LEGISLATURE THE DEPARTMENT OF PUBLIC
WORKS CAN NOT ADVERTISE OR AWARD THIS PROJECT.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

1954

Intro. Res. No. - 2008
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 10/14/08

RESOLUTION NO. AMENDING THE 2008 CAPITAL BUDGET PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE OF RECONSTRUCTION OF CR 16, PORTION/HORSEBLOCK ROAD, TOWN OF BROOKHAVEN (CAPITAL PROJECT NUMBER 5511)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the County Share of Reconstruction CR16 , Portion/Horseblock Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0755.98, with a share allocation of eighty (80%) percent Federal funds and twenty (20%) percent County funds; and

WHEREAS, New York State has subsequently allocated a seven and eighty five hundredths (7.85%) percent share from State Marchiselli funding; and

WHEREAS, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal and state portions based on actual expenditures; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request under Capital Project 5511 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$25,500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 67-2002 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the County Share of Reconstruction CR16 , Portion/Horseblock Road; and be it further

4th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5511
 Project Title: County Share of Reconstruction CR16 , Portion/Horseblock Road

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	\$28,125,000	\$2,800,000B \$19,200,000F <u>\$2,000,000S</u>	\$3,100,000B \$20,400,000F <u>\$2,000,000S</u>
Total	\$42,535,000	\$24,000,000	\$25,500,000

5th RESOLVED, that the proceeds of \$3,100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5511.312 (Fund 001 Debt Service)	50	County Share of Reconstruction CR16 , Portion/Horseblock Road	\$3,100,000

and be it further

6th RESOLVED, that Federal Aid in the amount of \$20,400,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5511.312	50	County Share of Reconstruction CR16 , Portion/Horseblock Road	\$20,400,000

and be it further

7th RESOLVED, that State Aid in the amount of \$2,000,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5511.312	50	County Share of Reconstruction CR16 , Portion/Horseblock Road	\$2,000,000

8th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$3,100,000; and be it further

9th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and State funding in the amount of \$22,400,000; and be it further

10th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State share of \$22,400,000; and be it further

11th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$281,260	\$0.53		\$0.001

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$281,260	\$0.53		\$0.001

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 15
 Amount to Bond: \$3,100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$153,384.90	\$127,875.00	\$281,259.90	\$281,259.90
			\$60,773.94	\$60,773.94	
11/1/2009	4.125%	\$159,712.02	\$60,773.94	\$220,485.96	\$281,259.90
			\$57,479.88	\$57,479.88	
11/1/2010	4.125%	\$166,300.14	\$57,479.88	\$223,780.02	\$281,259.90
			\$54,049.94	\$54,049.94	
11/1/2011	4.125%	\$173,160.02	\$54,049.94	\$227,209.96	\$281,259.90
			\$50,478.51	\$50,478.51	
11/1/2012	4.125%	\$180,302.88	\$50,478.51	\$230,781.39	\$281,259.90
			\$46,759.76	\$46,759.76	
11/1/2013	4.125%	\$187,740.37	\$46,759.76	\$234,500.13	\$281,259.90
			\$42,887.62	\$42,887.62	
11/1/2014	4.125%	\$195,484.66	\$42,887.62	\$238,372.28	\$281,259.90
			\$38,855.75	\$38,855.75	
11/1/2015	4.125%	\$203,548.40	\$38,855.75	\$242,404.15	\$281,259.90
			\$34,657.56	\$34,657.56	
11/1/2016	4.125%	\$211,944.77	\$34,657.56	\$246,602.33	\$281,259.90
			\$30,286.20	\$30,286.20	
11/1/2017	4.125%	\$220,687.49	\$30,286.20	\$250,973.70	\$281,259.90
			\$25,734.52	\$25,734.52	
11/1/2018	4.125%	\$229,790.85	\$25,734.52	\$255,525.37	\$281,259.90
			\$20,995.08	\$20,995.08	
11/1/2019	4.125%	\$239,269.73	\$20,995.08	\$260,264.81	\$281,259.90
			\$16,060.15	\$16,060.15	
11/1/2020	4.125%	\$249,139.60	\$16,060.15	\$265,199.75	\$281,259.90
			\$10,921.64	\$10,921.64	
11/1/2021	4.125%	\$259,416.61	\$10,921.64	\$270,338.25	\$281,259.90
			\$5,571.17	\$5,571.17	
11/1/2022	4.125%	\$270,117.55	\$5,571.17	\$275,688.72	\$281,259.90
		\$3,100,000.00	\$1,118,898.43	\$4,218,898.43	\$4,218,898.43

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: September 19, 2008

RE: **C.P. 5511, County Share of Reconstruction of CR 16, Portion/Horseblock Road, ,
Town of Brookhaven.**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$25,500,000 for construction in connection with the above referenced project.

There are insufficient funds included in the 2008 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifth percent (50%) by Federal or State aid.

State Marchiselli funding of \$2,000,000 was available from a previous allocation. The State Marchiselli program accepts applications and issues funding on an annual basis. Application to increase the State share to 15% will be submitted at the next submission cycle.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5511.doc".

TL:WH:sk
attach.

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

Run Date: 09/18/2008
Run Time: 08:03:06

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID PROJECT AGREEMENT

Report: FMISD05A
Page 5

STATE: NEW YORK

PROJECT NO: 0755(983)

STATE PROJ. NO: 0755.98.321

THE STATE, THROUGH ITS HIGHWAY AGENCY, HAVING COMPLIED, OR HEREBY AGREEING TO COMPLY, WITH THE APPLICABLE TERMS AND CONDITIONS SET FORTH IN (1) TITLE 23, U.S. CODE, HIGHWAYS, (2) THE REGULATIONS ISSUED PURSUANT THERETO AND (3) THE POLICIES AND PROCEDURES PROMULGATED BY THE FEDERAL HIGHWAY ADMINISTRATION RELATIVE TO THE ABOVE DESIGNATED PROJECT, AND THE FEDERAL HIGHWAY ADMINISTRATION HAVING AUTHORIZED CERTAIN WORK TO PROCEED AS EVIDENCED BY THE DATE ENTERED OPPOSITE THE SPECIFIC ITEM OF WORK, FEDERAL FUNDS ARE OBLIGATED FOR THE PROJECT NOT TO EXCEED THE AMOUNT SHOWN HEREIN, THE BALANCE OF THE ESTIMATED TOTAL COST BEING AN OBLIGATION OF THE STATE. SUCH OBLIGATION OF FEDERAL FUNDS EXTENDS ONLY TO PROJECT COSTS INCURRED BY THE STATE AFTER THE FEDERAL HIGHWAY ADMINISTRATION AUTHORIZATION TO PROCEED WITH THE PROJECT INVOLVING SUCH COSTS. ¶¶

PROJECT DESCRIPTION: SUFFOLK COUNTY COUNTY ROUTE 16/PORTION ROAD FROM RONKONOMA AVENUE TO COUNTY ROUTE 97/NICHOLS ROAD FOR RECONSTRUCTION.

DUNS #: 83-542-2064

CLASSIFICATION OF PHASE OF WORK
TO BE PUT UNDER AGREEMENT

EFFECTIVE DATE
OF AUTHORIZATION

HIGHWAY PLANNING & RESEARCH
PRELIMINARY ENGINEERING
RIGHT-OF-WAY
CONSTRUCTION
MCSAP
OTHER

09/17/2008

PROGRAM CODE	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
L230	001	\$25,500,000.00			\$20,400,000.00
TOTAL		\$25,500,000.00		\$0.00	

ESTIMATED TOTAL COST: \$25,500,000.00
TOTAL AUTHORIZED FOR PROJECT: \$0.00

NEW YORK STATE DEPARTMENT OF TRANS

AVAILABLE FUNDS CERTIFIED BY: KENNETH S. GRUPE DATE: 09/17/2008
APPROVED AND AUTHORIZED BY: KENNETH S. GRUPE DATE: 09/17/2008
AGRMT/MODIFY REQUESTED BY: XIAOQIN TAN DATE: 09/17/2008

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY: MICHAEL J. PIDGEON DATE: 09/17/2008
APPROVAL RECOMMENDED BY: MICHAEL J. PIDGEON DATE: 09/17/2008
APPROVED AND AUTHORIZED BY: JACQUELINE KELLER DATE: 09/17/2008

STATE REMARKS: PROJECT IS ADVANCE FUNDED. PROCESSING= 106C. CONSTRUCTION CONTRACT= LOCAL. COMPLETION DATE= 12/2010. FEDERAL % = 80%. PROJECT DEVELOPMENT HAS COMPLIED WITH THE PROJECT LEVEL PROCEDURES OF 23CFR PART 630, SUBPART J.

DIVISION REMARKS: The Authorization of this Project does not constitute a commitment of Federal Funds until the Project is converted to a regular Federal-Aid Project.

Intro. Res. No. 1005-2002
Introduced by the Presiding Officer

Laid on the Table 1/2/2002

RESOLUTION NO. 67 -2002, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RECONSTRUCTION OF CR 16, PORTION ROAD, FROM RONKONKOMA AVENUE TO NICOLLS ROAD, TOWN OF BROOKHAVEN, CP 5511, PHASE I

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of CR 16, Portion Road, from Ronkonkoma Avenue to Nicolls Road, Town of Brookhaven, CP 5511, Phase I", pursuant to Section 6 of Local Law No. 22-1985 which project involves the reconstruction of a 2.73 mile section of CR 16, Portion Road, from Ronkonkoma Avenue to CR 97, Nicolls Road, to a four lane road with center median/left turn lane with shoulders; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its November 21, 2001 meeting, the CEQ reviewed the EAF and information submitted by the Department of Public Works, and from Lockwood, Kessler & Bartlett, Inc.; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(6)(i) and Chapter 279 of the SUFFOLK COUNTY CODE; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated November 21, 2001 of said recommendations;

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

RESOLVED, that this Legislature hereby determines that the Proposed Reconstruction of CR 16, Portion Road, from Ronkonkoma Avenue to Nicolls Road, Town of Brookhaven, CP 5511, Phase I constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(6)(i) and Chapter 279 of the SUFFOLK COUNTY CODE which will not have a significant effect on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) No significant habitats will be affected; and
- 3.) Traffic and pedestrian safety will be improved;

and be it further

RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: FEB 11 2002

APPROVED BY:


County Executive of Suffolk County

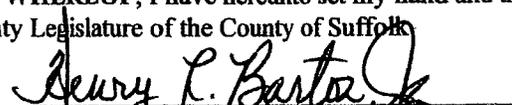
Date of Approval: 2/15/02

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to certify that I, HENRY L. BARTON, JR., Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on February 11, 2002, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk


Clerk of the County Legislature

I.R. 1954A-08

BOND RESOLUTION NO. ____ - 2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$25,500,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 16, PORTION/HORESEBLOCK ROAD, TOWN OF BROOKHAVEN (CP 5511.312)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$25,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 16 Portion/Horseblock Road, Town of Brookhaven, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$37,380,000. The plan of financing includes (a) the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 740-2004 (apportioned to reflect \$800,000 Federal Aid, \$150,000 State Aid and \$50,000 County share pursuant to Resolution No. 1398-2004), (b) the issuance of \$9,280,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 317-2007 (with

\$7,424,000 expected to be paid from Federal Aid appropriated pursuant to Resolution No. 316-2007, (c) the issuance of \$1,600,000 bonds or bond anticipation notes authorized pursuant Bond Resolution No. 483-2007 (with \$800,000 expected to be paid from Federal Aid appropriated pursuant to Resolution No. 482-2007), (d) the issuance of \$25,500,000 bonds or bond anticipation notes authorized pursuant to this resolution (with \$20,400,000 expected to be paid from Federal Aid and \$2,000,000 expected to be paid from State Aid) and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. The principal amount of serial bonds to be issued shall be limited to \$3,100,000, the amount of the County share of the cost. The balance of the bonds authorized may be issued only in the form of bond anticipation notes to provide temporary financing for the portion to be paid from Federal and/or State Aid.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 15, 2005, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 740-2004.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

Dated: _____

APPROVED: _____
County Executive, Suffolk County

Date of Approval: _____, 2008

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2008**

1955

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2008

**RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL
BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN
CONNECTION WITH THE COUNTY SHARE FOR
PARTICIPATION IN THE RECONSTRUCTION OF CR 80,
MONTAUK HIGHWAY, SHIRLEY/MASTIC, TOWN OF
BROOKHAVEN (CAPITAL PROJECT NUMBER 5516)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE THIS PROJECT IS FEDERALLY
FUNDED AND IS TIME SENSITIVE WITH THE RISK OF FUNDS BEING
RESCINDED BY THE FEDERAL HIGHWAY ADMINISTRATION. WITHOUT THE
APPROVAL OF THE COUNTY LEGISLATURE THE DEPARTMENT OF PUBLIC
WORKS CAN NOT ADVERTISE OR AWARD THIS PROJECT.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RESOLUTION NO. 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY, SHIRLEY/MASTIC, TOWN OF BROOKHAVEN (CAPITAL PROJECT NUMBER 5516)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0756.68, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty (80%) percent Federal funds and twenty (20%) percent County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the 80% Federal portion; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$16,020,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 876-2004 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven; and be it further

4th RESOLVED, that the proceeds of \$3,204,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 5516.310 (Fund 001 Debt Service)	50	County Share of the Reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven	\$3,204,000

and be it further

5th RESOLVED, that Federal Aid in the amount of 12,816,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5516.310	50	County Share of the Reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven	\$12,816,000

6th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$3,204,000; and be it further

7th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$12,816,000; and be it further

8th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$12,816,000; and be it further

9th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY, SHIRLEY/MASTIC, TOWN OF BROOKHAVEN (CAPITAL PROJECT NUMBER 5516)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE.		
8. Proposed Source of Funding		
80% Federal funding (\$12,816,000) and 20% County (\$3,204,000) County controller is authorized to issue BAN's to cover the Federal share.		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		September 25th, 2008

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$290,696	\$0.54		\$0.001

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$290,696	\$0.54		\$0.001

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 15
 Amount to Bond: \$3,204,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$158,530.71	\$132,165.00	\$290,695.71	\$290,695.71
			\$62,812.80	\$62,812.80	
11/1/2009	4.125%	\$165,070.10	\$62,812.80	\$227,882.91	\$290,695.71
			\$59,408.23	\$59,408.23	
11/1/2010	4.125%	\$171,879.24	\$59,408.23	\$231,287.48	\$290,695.71
			\$55,863.22	\$55,863.22	
11/1/2011	4.125%	\$178,969.26	\$55,863.22	\$234,832.49	\$290,695.71
			\$52,171.98	\$52,171.98	
11/1/2012	4.125%	\$186,351.75	\$52,171.98	\$238,523.73	\$290,695.71
			\$48,328.48	\$48,328.48	
11/1/2013	4.125%	\$194,038.76	\$48,328.48	\$242,367.23	\$290,695.71
			\$44,326.43	\$44,326.43	
11/1/2014	4.125%	\$202,042.85	\$44,326.43	\$246,369.28	\$290,695.71
			\$40,159.29	\$40,159.29	
11/1/2015	4.125%	\$210,377.12	\$40,159.29	\$250,536.42	\$290,695.71
			\$35,820.27	\$35,820.27	
11/1/2016	4.125%	\$219,055.18	\$35,820.27	\$254,875.44	\$290,695.71
			\$31,302.25	\$31,302.25	
11/1/2017	4.125%	\$228,091.20	\$31,302.25	\$259,393.46	\$290,695.71
			\$26,597.87	\$26,597.87	
11/1/2018	4.125%	\$237,499.97	\$26,597.87	\$264,097.84	\$290,695.71
			\$21,699.44	\$21,699.44	
11/1/2019	4.125%	\$247,296.84	\$21,699.44	\$268,996.28	\$290,695.71
			\$16,598.94	\$16,598.94	
11/1/2020	4.125%	\$257,497.83	\$16,598.94	\$274,096.77	\$290,695.71
			\$11,288.05	\$11,288.05	
11/1/2021	4.125%	\$268,119.62	\$11,288.05	\$279,407.67	\$290,695.71
			\$5,758.08	\$5,758.08	
11/1/2022	4.125%	\$279,179.55	\$5,758.08	\$284,937.63	\$290,695.71
		\$3,204,000.00	\$1,156,435.67	\$4,360,435.67	\$4,360,435.67

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: September 15, 2008

RE: **C.P. 5516, Appropriating funds in connection with the County share for participation in the reconstruction of CR 80, Montauk Highway, Shirley/Mastic, (Town of Brookhaven).**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$16,020,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

Federal funds have been allocated for this project in the amount of \$12,816,000 under the Federal Highway Administration (FHWA) funding. The share allocation for this appropriation is now 80% Federal funds and 20% County funds.

The State Marchiselli program accepts applications and issues funding on an annual basis. Application to obtain the State share of 15% will be submitted at the next submission cycle.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5516.doc".

TL:WH:sk
attach.

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

Intro. Res. No. 1759-2004**Laid on Table 8/10/2004****Introduced by the Presiding Officer**

**RESOLUTION NO. 876 -2004, MAKING A SEQRA
DETERMINATION IN CONNECTION WITH THE
PROPOSED RECONSTRUCTION OF CR 80, MONTAUK
HIGHWAY FROM CR 46, WILLIAM FLOYD PARKWAY
TO MASTIC ROAD, CP #5516, TOWN OF
BROOKHAVEN**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, CP #5516, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves rehabilitation of the pavement to improve rideability and safety; construction of a new drainage facility to eliminate flooding and provide treatment to stormwater prior to discharge to the Forge River; and incorporation of decorative sidewalk and crosswalk treatments and landscaping to improve aesthetics; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its July 28, 2004 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(6)(i) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated August 2, 2004 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Reconstruction of CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, CP #5516, Town of Brookhaven constitutes a Type I action pursuant to the provisions of Title 6 NYCRR Part 617.4(b)(6)(i) and Chapter 279 of the Suffolk County Code, since the project involves the physical alteration of more than 10 acres for construction of a non-residential facility, which project will not have a significant effect on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County

Charter and Code;

3. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
4. Direct discharge of road runoff to the Forge River will be eliminated and all N.Y.S.D.E.C. and EPA requirements adhered to;
5. The project conforms to the principals of smart growth including incorporating an entrance park, center medians, roundabouts, street lights and benches;
6. Traffic flow and safety will be improved in the CR 80 corridor; and
7. Extensive community outreach has been undertaken by DPW and the project is supported by the Town of Brookhaven and local community groups;

And be it further

2nd **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd **RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 24, 2004 _____

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: August 26, 2004

Run Date: 09/11/2008
 Run Time: 07:48:41

**U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 FEDERAL-AID PROJECT AGREEMENT**

Report FMISD05A
 Page 4

STATE: NEW YORK PROJECT NO: 0756(683) STATE PROJ. NO: 0756.68.321

THE STATE, THROUGH ITS HIGHWAY AGENCY, HAVING COMPLIED, OR HEREBY AGREEING TO COMPLY, WITH THE APPLICABLE TERMS AND CONDITIONS SET FORTH IN (1) TITLE 23, U.S. CODE, HIGHWAYS, (2) THE REGULATIONS ISSUED PURSUANT THERETO AND (3) THE POLICIES AND PROCEEDURES PROMULGATED BY THE FEDERAL HIGHWAY ADMINISTRATION RELATIVE TO THE ABOVE DESIGNATED PROJECT, AND THE FEDERAL HIGHWAY ADMINISTRATION HAVING AUTHORIZED CERTAIN WORK TO PROCEED AS EVIDENCED BY THE DATE ENTERED OPPOSITE THE SPECIFIC ITEM OF WORK, FEDERAL FUNDS ARE OBLIGATED FOR THE PROJECT NOT TO EXCEED THE AMOUNT SHOWN HEREIN, THE BALANCE OF THE ESTIMATED TOTAL COST BEING AN OBLIGATION OF THE STATE. SUCH OBLIGATION OF FEDERAL FUNDS EXTENDS ONLY TO PROJECT COSTS INCURRED BY THE STATE AFTER THE FEDERAL HIGHWAY ADMINISTRATION AUTHORIZATION TO PROCEED WITH THE PROJECT INVOLVING SUCH COSTS. (N)

PROJECT DESCRIPTION: BROOKHAVEN RECONSTRUCTION OF MONTAUK HIGHWAY/COUNTY ROUTE 80 FROM COUNTY ROUTE 46 TO MASTIC ROAD.

DUNS #: 83-542-2064

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT	EFFECTIVE DATE OF AUTHORIZATION
HIGHWAY PLANNING & RESEARCH	
PRELIMINARY ENGINEERING	
RIGHT-OF-WAY	
CONSTRUCTION	09/08/2008
MCSAP	
OTHER	

PROGRAM CODE	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
L230	001	\$13,861,000.00			\$11,088,800.00
LY10		\$2,159,000.00	80.00%	\$1,183,373.00	\$543,827.00
TOTAL		\$16,020,000.00		\$1,183,373.00	

ESTIMATED TOTAL COST: \$16,020,000.00
 TOTAL AUTHORIZED FOR PROJECT: \$1,183,373.00

NEW YORK STATE DEPARTMENT OF TRANS

AVAILABLE FUNDS CERTIFIED BY:	KENNETH S. GRUPE	DATE:	09/08/2008
APPROVED AND AUTHORIZED BY:	KENNETH S. GRUPE	DATE:	09/08/2008
AGRMT/MODIFY REQUESTED BY:	XIAOQIN TAN	DATE:	09/08/2008

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY:	MICHAEL J. PIDGEON	DATE:	09/09/2008
APPROVAL RECOMMENDED BY:	MICHAEL J. PIDGEON	DATE:	09/09/2008
APPROVED AND AUTHORIZED BY:	MICHAEL J. FAZIOLI	DATE:	09/10/2008

STATE REMARKS: PROJECT IS PARTIALLY ADVANCE FUNDED. PROCESSING= 106C. CONSTRUCTION CONTRACT= LOCAL. COMPLETION DATE= 11/2011. FEDERAL % = 80%. PROJECT DEVELOPMENT HAS COMPLIED WITH THE PROJECT LEVEL PROCEDURES OF 23CFR PART 630, SUBPART J. DEMO ID#= NY584.

DIVISION REMARKS:

I.R. 1955A-08

BOND RESOLUTION NO. ____ - 2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$16,020,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY, TOWN OF BROOKHAVEN (CP 5516.310)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$16,020,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 80, Montauk Highway, Town of Brookhaven, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$22,020,000. The plan of financing includes (a) the issuance of \$400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 779-2003, with the expectation of \$320,000 in Federal Aid funds (80%) and \$80,000 in County share (20%), (b) the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 989-2004, with the expectation of \$800,000 in Federal Aid

funds (80%), \$150,000 State Marchiselli Aid (15%) (as appropriated in Resolution 608-2006) and \$50,000 in County share (5%), (c) the issuance of \$3,750,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1525-2006, with the expectation of \$3,000,000 in Federal Aid funds (80%) and \$750,000 in County share (20%), (d) the issuance of \$850,000 bonds or bond anticipation authorized pursuant to Bond Resolution No. 769-2007, with the expectation of \$440,000 in Federal Aid funds (52%) and \$410,000 in County share (48%), (e) the issuance of \$16,020,000 bonds or bond anticipation authorized pursuant to this resolution, with the expectation of \$12,816,000 in Federal Aid funds (80%) and \$3,204,000 in County share (20%), and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. The Comptroller is directed to limit the principal amount of serial bonds issued pursuant to this resolution to the \$3,204,000 County share, but the full amount of \$16,020,000 may be financed by the issuance of bond anticipation notes.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 15, 2005, the date of issuance of the first bonds or notes issued pursuant to Bond Resolution No. 779-2003.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect

to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for

credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

Dated: _____

APPROVED: _____
County Executive, Suffolk County

Date of Approval: _____, 2008

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2008**

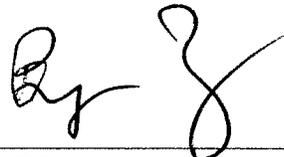
1960
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2008

**RESOLUTION NO. -2008, ACCEPTING AND
APPROPRIATING 100% FEDERAL GRANT FUNDS
FROM THE UNITED STATES DEPARTMENT OF
JUSTICE, NATIONAL INSTITUTE OF JUSTICE, TO THE
DEPARTMENT OF HEALTH SERVICES FOR A
FORENSIC DNA BACKLOG REDUCTION PROGRAM,
FY 2008**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE THE POST GRANT AWARD
INSTRUCTIONS FROM THE U.S. DEPARTMENT OF JUSTICE STATES THAT
THE ACCEPTANCE OF THE AWARD MUST OCCUR WITHIN FOURTY FIVE
DAYS FROM THE AWARD DATE, WHICH IS SEPTEMBER 16, 2008.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
Fourteenth DAY OF October, 2008.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

1960
10 14 2008
11 41

1960

Intro. Res. No. - 2008

Laid on the Table 10/14/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, TO THE DEPARTMENT OF HEALTH SERVICES FOR A FORENSIC DNA BACKLOG REDUCTION PROGRAM, FY 2008

WHEREAS, the United States Department of Justice, National Institute of Justice has awarded 100% Federal grant funds to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 08 in the amount of \$280,905 for the period 10/01/08 - 03/31/10; and

WHEREAS, this grant provides funding for the analysis of DNA from a backlog of unsolved criminal cases; and

WHEREAS, these funds were not included in the 2008 Suffolk County Operating Budget; and

WHEREAS, these funds are 100% Federal funded; now therefore, be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$280,905 grant funds as follows:

REVENUES

001-4320 General Aid: Crime Control \$ 280,905

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Forensic DNA Backlog Reduction Program, FY 08
001-HSV-4734

Personal Services \$ 10,000
1120 Overtime Salaries \$ 10,000

Equipment \$160,777
2020 Office Machines \$ 5,195
2080 Medical, Dental, Lab Equipment \$138,782
2090 Photographic Equipment \$ 16,800

Supplies, Materials & Other \$ 41,378
3370 Medical, Dental, Lab Supplies \$ 41,378

Fees for Services \$ 68,750
4560 Fees for Services, Non-employees \$ 68,750

and be it further

2nd RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

HSV #46-2008

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law <input type="checkbox"/>	Charter Law <input type="checkbox"/>
2. Title of Proposed Legislation Accepting and Appropriating 100% Federal grant funds from the United States Department of Justice, National Institute of Justice, to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 2008		
3. Purpose of Proposed Legislation To accept and appropriate 100% Federal grant funds for the analysis of DNA from a backlog of unsolved criminal cases, these funds are not included in the 2008 Adopted Suffolk County Budget.		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% Federal Grant Funds from the United States Department of Justice, National Institute of Justice		
9. Timing of Impact 2008		
10. Typed Name & Title of Preparer <i>Diane E. Weyer</i> Principal Financial Analyst BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	11. Signature of Preparer  	12. Date <i>9/25/08</i> <i>10/8/08</i>

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

September 26, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

RE: Certificate of Necessity and Resolution request

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to accept and appropriate 100% Federal grant funds from the United States Department of Justice, National Institute of Justice, to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 2008. These grant funds are provided for the analyses of DNA from a backlog of unsolved criminal cases. A **Certificate of Necessity** is included because the post-award instructions, from the U.S. Department of Justice stipulate that the acceptance of the grant award must occur within 45 days from the award date. Since the award date is September 16, 2008, the program requires a Resolution to be processed before the agreement can be signed.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Kagan at 2-2814. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-DNA Backlog Reduce-FY08.doc".

Sincerely,

Humayun J. Chaudhry, D.O., M.S., FACP
Commissioner

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew J. Miner, Deputy Commissioner of Health Services
Yvonne I. Milewski, M.D., Chief Medical Examiner
Donald Fahey, Federal & State Aid Claims Coordinator
Carolyn Kagan, Principal Contracts Examiner
Diane E. Weyer, Principal Financial Analyst



Public Health
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

Department Request
for
Certificate of Necessity

Resolution Title:

Accepting and appropriating 100% Federal grant funds from the United States Department of Justice, National Institute of Justice, to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 2008

Reason for Urgency:

The United States Department of Justice has recently awarded federal grant funds of \$280,905 for a Forensic DNA Backlog Reduction Program, FY 2008 that provides funding for the analysis of DNA from a backlog of unsolved criminal cases. The post award instructions from the U.S. Department of Justice state that the acceptance of the award must occur within 45 days from the award date. Since the award date is 09/16/08 and since the program requires a resolution to be processed before the contract can be signed and since the County legislative schedule is such that the 45 day due date would be missed by following the normal procedures, a Certificate of Necessity is requested to insure timely submission of the agreement to the U.S. Department of Justice.

Instructions: All departments requesting a Certificate of Necessity must submit this form along with the resolution and explanation to Suffolk County Executive Office, Intergovernmental Relations.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE September 19, 2008
Submitting Department/Agency Department of Health Services	Location 225 Rabro Drive East, Hauppauge, NY 11788	
Contact Person In Department/Agency Carolyn Kagan	Telephone Number 852-2814	Grant Application Due Date

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION	
Grant Title	FORENSIC DNA BACKLOG REDUCTION PROGRAM FY 08 - NIJ
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)	Direct funds from the U.S. Department of Justice
3. Grant/Contract Status (Check One Box)	<input type="checkbox"/> A. New Program Application <input type="checkbox"/> B. Renewal Application <input type="checkbox"/> C. Supplemental (Specify) _____ <input type="checkbox"/> D. Extension of Funding Period <input checked="" type="checkbox"/> E. Contract
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)	This program provides funding for the analysis of DNA from a backlog of unsolved criminal cases.
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)	NONE

II. BUDGET INFORMATION						
1. Term of Contract	From: 10 /01 /08		To: 03 /31 /10			
2. Financial Assistance Requested						
<i>SOURCE</i>	<i>FIRST FUNDING CYCLE</i>		<i>SECOND FUNDING CYCLE</i>		<i>THIRD FUNDING CYCLE</i>	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$ 280,905	100.0 %	\$	%	\$	%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$ 280,905	100.0 %	\$	%	\$	%

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$ 0	\$ 0	\$ 0
A. Cash Contribution	\$ 0	\$ 0	\$ 0
B. In-Kind Contribution	\$ 0	\$ 0	\$ 0
4. Total Number of New Positions Requested NONE		5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO	
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) NONE			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)? The program will be discontinued.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:		2. Signature of Coordinator	3. Date
	Approved		
	Disapproved		
4. Comments			
5. Budget Office Review:		6. Signature of Budget Director	7. Date
	Approved		
	Disapproved		
8. Comments			

<i>Category</i>	<i>Appropriation Number Grantor Funds</i>	<i>Appropriation Number State Match Funds</i>	<i>Appropriation Number In-Kind Contribution</i>	<i>Remarks</i>
PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	<u>10,000</u> 10,000			
EQUIPMENT: 2010 Furniture 2020 Office Machines 2080 Medical, Dental, Lab Equip 2090 Photographic Equip	<u>160,777</u> 5,195 138,782 16,800			
SUPPLIES, MATERIALS & OTHER: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3100 Instructional Supplies 3500 Other Unclassified 3160 Computer Software 3370 Medical, Dental, Lab Supplies	<u>41,378</u> 41,378			
UTILITIES: 4010 Telephone & Telegraph				
TRAVEL: 4330 Travel Employee Contracts 4340 Travel Other Contracts				

Category	Appropriation Number Grantor Funds	Appropriation Number County Funds	Appropriation Number In- Kind Contribution	Remarks
FEES FOR SERVICES 4560 Fees for Services, Non- Employees	68,750 68,750			
CONTRACTED SERVICES (List) 4980 Contracted Agencies				
EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker's Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contributions are not currently being used to support other Grants. _____
Signature of Project Director

TITLE OF POSITION	GRADE/S TEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			REMARKS
				GRANTOR	COUNTY	IN-KIND	
Forensic Serologist I & II and Lab Tech			Overtime for several persons	100			Only overtime

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel--List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
	\$0.00 1%	\$0.00
	\$0.00 1%	\$0.00
	\$0.00 1%	\$0.00
	TOTAL	\$0.00

B. Fringe Benefits--Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Employer's FICA	\$0.00 1%	\$0.00
Retirement	\$0.00 1%	\$0.00
Uniform Allowance	\$0.00 1%	\$0.00
Health Insurance	\$0.00 1%	\$0.00
Workman's Compensation	\$0.00 1%	\$0.00
Unemployment Compensation	\$0.00 1%	\$0.00
	TOTAL	\$0.00

Total Personnel & Fringe Benefits **\$0.00**

C. Travel-- Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meetings, etc). Show the basis of computation (e.g., six people 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects travel and meals for trainees should be listed separately. Show the number of trainees and unit cost involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation		Cost
		Airfare	\$0.00	1	\$0.00
		Hotel	\$0.00	1	\$0.00
		Meals	\$0.00	1	\$0.00
		Airfare	\$0.00	1	\$0.00
		Hotel	\$0.00	1	\$0.00
		Meals	\$0.00	1	\$0.00
TOTAL					\$0.00

D. Equipment-- List non-expendable items that are to be purchased. (Note: Organization's own capitalization policy for classification of equipment should be used. Expendable items should be included in the "Supplies" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation		Cost
BioRobot EZ1	\$33,697.50	1	\$33,697.50
LIMS DNA Module	\$105,084.50	1	\$105,084.50
Digital Cameras and Accessories	\$1,400.00	12	\$16,800.00
Uninterruptable Power Supply	\$4,245.00	1	\$4,245.00
Copier/Fax	\$950.00	1	\$950.00
TOTAL			\$160,777.00

E.-Supplies--List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation		Cost
EZ1 DNA Investigator Kit	\$353.00	26	\$9,178.00
Differex Extraction Kits	\$800.00	4	\$3,200.00
Quantifiler Duo DNA Kits	\$1,500.00	5	\$7,500.00
Y-Filer DNA-STR Kits	\$2,650.00	2	\$5,300.00
Identifiler DNA-STR Kits	\$3,000.00	4	\$12,000.00
3130 POP-4 Polymer	\$400.00	4	\$1,600.00
3130 Capillary Array	\$650.00	4	\$2,600.00
TOTAL			\$41,378.00

F. Construction-- As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

G. Consultants/Contracts— Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisitions

Consultant Fee: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
		\$0.00 1	\$0.00
Subtotal			\$0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
		\$0.00 1	\$0.00
		\$0.00 1	\$0.00
Subtotal			\$0.00

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost
Fairfax Identity Labs	\$68,750.00
Subtotal	\$68,750.00
CONSULTANTS/ CONTRACTS TOTAL \$68,750.00	

H. Other Costs— List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot rent, and provide a monthly rental cost and how many months to rent.

Description	Computation		Cost
Overtime	\$10,000.00	1	\$10,000.00
	\$0.00	1	\$0.00
TOTAL			\$10,000.00

I. Indirect Cost—Indirect costs are allowed only if the applicant has Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation		Cost
	\$0.00	1%	\$0.00
TOTAL			\$0.00

Budget Summary—When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	\$0.00
B. Fringe Benefits	\$0.00
C. Travel	\$0.00
D. Equipment	\$160,777.00
E. Supplies	\$41,378.00
F. Construction	\$0.00
G. Consultants/Contracts	\$68,750.00
H. Other	\$10,000.00
Total Direct Costs	\$280,905.00
I. Indirect Costs	\$0.00
TOTAL PROJECT COSTS	\$280,905.00
Federal Request	\$280,905.00
Non-Federal Amount	\$0.00

NOTE: If a Non-Federal amount is entered, make sure those items for which they will be used must be incorporated into your overall budget. Indicate clearly throughout you budget narrative and detail worksheet for which items these funds will be used.



Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 16, 2008

Mr. Jeffrey Szabo
Suffolk County
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Szabo:

On behalf of Attorney General Michael B. Mukasey, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the Forensic DNA Backlog Reduction Program in the amount of \$280,905 for Suffolk County. This funding is for the project titled, "NIJ's FY 2008 Forensic DNA Backlog Reduction Program."

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Minh Nguyen, Program Manager at (202) 305-2664; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey L. Sedgwick".

Jeffrey L. Sedgwick
Acting Assistant Attorney General

Enclosures



Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

September 16, 2008

Mr. Jeffrey Szabo
Suffolk County
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Szabo:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEO Plan), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEO Plan Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEO Plan reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEO Plan and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEO Plan, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEO Plan specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEO Plan, but it does not have to submit the EEO Plan to OCR for review. Instead, your organization has to maintain the EEO Plan on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEO Plan requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEO Plan, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice
Office of Justice Programs
National Institute of Justice

Cooperative Agreement

PAGE 1 OF 7

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Suffolk County 100 Veterans Memorial Highway Hauppauge, NY 11788-0099		4. AWARD NUMBER: 2008-DN-BX-K094	
		5. PROJECT PERIOD: FROM 10/01/2008 TO 03/31/2010 BUDGET PERIOD: FROM 10/01/2008 TO 03/31/2010	
1A. GRANTEE IRS/VENDOR NO. 116000468		6. AWARD DATE 09/16/2008	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE FY 2008 Forensic DNA Backlog Reduction Program - Suffolk County Crime Laboratory, New York		10. AMOUNT OF THIS AWARD \$ 280,905	
		11. TOTAL AWARD \$ 280,905	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY08(NIJ - COPS DNA/Forensics) Pub. L. No. 110-161, 121 Stat. 1897, 1910; 28 USC 530C			
15. METHOD OF PAYMENT PAPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Jeffrey L. Sedgwick Acting Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Jeffrey Szabo Deputy County Executive & Chief of Staff	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X B DN 60 00 00 280905		21. HDNSGT0167	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
National Institute of Justice

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 2 OF 7

PROJECT NUMBER 2008-DN-BX-K094

AWARD DATE 09/16/2008

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. Privacy; quality assurance; CODIS/NDIS

The Recipient shall ensure that each DNA analysis conducted under this award is maintained pursuant to all applicable Federal privacy requirements, including those described in 42 U.S.C. section 14132(b)(3).

The Recipient shall ensure that all DNA analyses conducted with funding under this award are performed either (1) by accredited government-owned laboratories, or (2) through accredited fee-for-service vendors. Accreditation must be by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community.

The Recipient shall ensure that any laboratory that conducts DNA analyses under this program undergoes external audits, not less than once every two years, that demonstrate compliance with DNA Quality Assurance Standards established by the Director of the Federal Bureau of Investigation.

The Recipient agrees to notify NIJ immediately upon any change in the accreditation status of any of its forensic science laboratories that receive funding under this award.

The Recipient shall ensure that all eligible forensic DNA profiles obtained with funding under this award will be entered into the Combined DNA Index System (CODIS), and, where applicable, uploaded to the National DNA Index System (NDIS).

If any government-owned forensic laboratory that will receive funding under this award to conduct DNA analyses is not a member of NDIS, the laboratory must have a written agreement in place with an NDIS-participating laboratory for the resulting eligible forensic DNA profiles to be entered into CODIS, and where applicable uploaded into NDIS.



Department of Justice
Office of Justice Programs
National Institute of Justice

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 3 OF 7

PROJECT NUMBER 2008-DN-BX-K094

AWARD DATE 09/16/2008

SPECIAL CONDITIONS

6. (A) No research; nonsupplanting of State or local funds

The Recipient shall ensure that none of the funds provided under this award are used for research or statistical projects or activities as defined by 28 CFR Part 22 or for research as defined by 28 CFR Part 46. Any questions concerning this provision should be directed to the NIJ Program Manager for the award.

The Recipient shall ensure that Federal funds made available through this award will not supplant State or local funds, but instead will be used to increase the amount of funds that would, in the absence of Federal funds, be available from State or local sources for activities funded through this award.

The Recipient agrees to notify NIJ immediately if the Recipient receives new State or local funding for any of the purposes included in the approved application for this award.

(B) Changes in caseload estimates

The Recipient agrees to notify NIJ immediately upon any significant reduction in the Recipient's estimate of the number of backlogged DNA cases that can be analyzed within eighteen months using the funds provided under this fiscal year 2008 award, above and beyond those that will be analyzed using funds from other sources.

7. (A) Quarterly performance metric reports

The Recipient agrees to collect quarterly performance metrics as specified in the FY 2008 Forensic DNA Backlog Reduction grant announcement. The reports for the first and second quarter will be submitted along with the January-June semiannual progress report(s) and the reports for the third and fourth quarter will be submitted with the July-December semiannual progress report(s). The reports shall be submitted to the Office of Justice Programs, Grants Management System.

(B) Final Report - Forensic DNA Backlog Reduction

The Recipient shall submit a report within 90 days of the end of the award period that, at a minimum, (1) includes a summary and assessment of the program carried out with the funds made available under this fiscal year 2008 award, (2) cites the number of additional backlogged DNA cases that were analyzed and the reduction in the DNA casework backlog as a result of the fiscal year 2008 award, and (3) cites the number of additional DNA casework profiles entered into CODIS, and, where applicable, uploaded to NDIS, as a result of the fiscal year 2008 award. The Recipient shall ensure that all data and information necessary for the report are collected throughout the award period.

8. The recipient agrees to submit quarterly financial status reports to the Office of Justice Programs using Standard Form SF 269A on the Internet at <https://grants.ojp.usdoj.gov>. These reports shall be submitted on-line not later than 45 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the grant period.

9. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on line-through the Internet at <https://grants.ojp.usdoj.gov/>.



Department of Justice
Office of Justice Programs
National Institute of Justice

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 4 OF 7

PROJECT NUMBER 2008-DN-BX-K094

AWARD DATE 09/16/2008

SPECIAL CONDITIONS

10. Due to the substantial Federal involvement contemplated in completion of this project, the National Institute of Justice (NIJ) has elected to enter into a cooperative agreement rather than a grant. This decision is based on NIJ's ongoing responsibility to assist and coordinate projects that deal with DNA analysis and capacity enhancement. NIJ will provide input and re-direction to the program, as needed, in consultation with the Recipient, and will actively monitor the project by methods including but not limited to ongoing contact with the Recipient. In meeting programmatic responsibilities, NIJ and the Recipient will be guided by the following principles: Responsibility for the day-to-day operations of this project rests with the Recipient in implementation of the Recipient's approved proposal, the Recipient's budget (as approved by OJP and NIJ), and the terms and conditions specified in this award. Responsibility for general oversight and redirection of the project, if necessary, rests with NIJ. In addition to its programmatic reporting requirements, the Recipient agrees to provide necessary information as requested by OJP and NIJ. These information requests may include, but are not limited to specific submissions related to: performance, including measurement of project outputs/outcomes; meeting performance specifications; developmental decision points; changes in project scope or personnel; budget modifications and/or coordination of related projects.



Department of Justice
Office of Justice Programs
National Institute of Justice

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 5 OF 7

PROJECT NUMBER 2008-DN-BX-K094

AWARD DATE 09/16/2008

SPECIAL CONDITIONS

11. Within 45 days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with the following information and itemized costs:

- 1) name of event;
- 2) event dates;
- 3) location of event;
- 4) number of federal attendees;
- 5) number of non-federal attendees;
- 6) costs of event space, including rooms for break-out sessions;
- 7) costs of audio visual services;
- 8) other equipment costs (e.g., computer fees, telephone fees);
- 9) costs of printing and distribution;
- 10) costs of meals provided during the event;
- 11) costs of refreshments provided during the event;
- 12) costs of event planner;
- 13) costs of event facilitators; and
- 14) any other costs associated with the event.

The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

- 1) meals and incidental expenses (M&IE portion of per diem);
- 2) lodging;
- 3) transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- 4) local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.



Department of Justice
Office of Justice Programs
National Institute of Justice

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 6 OF 7

PROJECT NUMBER 2008-DN-BX-K094

AWARD DATE 09/16/2008

SPECIAL CONDITIONS

OJP will provide further instructions regarding the submission of this data at a later time.

12. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
13. Pursuant to 28 C.F.R. Part 18, OJP may suspend or terminate funding under this award, at any time before the completion of the project funded by this award, for the recipient's failure to comply with these special conditions or with the project's goals, plans and methodology set forth in the approved application. The recipient will be unable to draw down funds until OJP determines that the recipient is in compliance.
14. To assist in information sharing, the award recipient shall provide the grant manager with a copy of all interim and final reports and proposed publications (including those prepared for conferences and other presentations) resulting from this agreement. Submission of such materials prior to or simultaneous with their public release aids NIJ in responding to any inquiries that may arise. Any publications (written, visual, or sound) - excluding press releases and newsletters - whether published at the recipient's or government's expense, shall contain the following statement: This project was supported by Award No. _____ awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect those of the Department of Justice.

NIJ defines publications as any planned, written, visual or sound material substantively based on the project, formally prepared by the award recipient for dissemination to the public.

15. Recipient acknowledges that the Office of Justice Programs reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) the copyright in any work developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

Recipient acknowledges that the Office of Justice Programs has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.



Department of Justice
Office of Justice Programs
National Institute of Justice

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 7 OF 7

PROJECT NUMBER 2008-DN-BX-K094

AWARD DATE 09/16/2008

SPECIAL CONDITIONS

16. The Recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award. Environmental Assessment (EA): The Recipient agrees and understands that funded activities (whether conducted by the recipient or subrecipients or contractors) may require the preparation of an environmental assessment (EA) as defined by the Council on Environmental Quality's Regulations for implementing the Procedural Provisions of the National Environmental Policy Act (NEPA), found at 40 CFR Part 1500. An EA is a concise public document that briefly provides sufficient analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact for the proposed activity. If in completing an EA for a proposed activity, potential adverse environmental impacts are identified, the EA will serve as a vehicle for developing either alternative approaches or mitigation measures for avoiding or reducing the identified adverse environmental impacts. Modifications: Throughout the term of this award, the Recipient agrees that for any activity that is the subject of a completed Environmental Assessment (EA), it will inform NIJ of (1) any change(s) that it is considering making to the previously assessed activity; (2) any changed circumstances, such as a change in the project site's conditions; or (3) any significant new information. The Recipient will not implement a proposed change until NIJ, with the assistance of the Recipient, has determined whether the proposed change will require additional review under NEPA. Likewise, in the case of new circumstances or information arising, NIJ, with the assistance of the Recipient, will determine if any additional environmental impact analysis is necessary. The approval will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an NIJ-conducted environmental impact review process.
17. The Recipient agrees that \$91,954 will be withheld and that the recipient may not obligate, expend, or draw down any funds under this award for expenses directly related to supplies for in-house forensic DNA casework analyses or expenses related to obtaining DNA analyses of forensic casework samples, unless prior written approval has been granted, until any funds remaining under any previous award from NIJ for DNA backlog reduction (no-suspect and/or forensic casework) either have been expended by the Recipient for authorized purposes or deobligated by NIJ and OJP and a Grant Adjustment Notice has been issued removing this condition.
18. No portion of these federal grant funds shall be used towards any part of the annual cash compensation of any employee of the grantee whose total annual cash compensation exceeds 110% of the maximum salary payable to a member of the Federal government's Senior Executive Service at an agency with a Certified SES Performance Appraisal System for that year.



Department of Justice
Office of Justice Programs
National Institute of Justice

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Minh Nguyen, Program Manager

Subject: Environmental Assessment for Suffolk County

The Recipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

Environmental Assessment (EA): The Recipient has prepared an EA for the activities to be conducted under this award that complies with the National Environment Policy Act (NEPA). These activities have been determined not to have a significant impact on the quality of the human environment.

Modifications: Throughout the term of this award, the Recipient agrees that for any activity that is the subject of a completed Environmental Assessment (EA), it will inform NIJ of (1) any change(s) that it is considering making to the previously assessed activity; (2) any changed circumstances, such as a change in the project site's conditions; or (3) any significant new information. The Recipient will not implement a proposed change until NIJ, with the assistance of the Recipient, has determined whether the proposed change will require additional review under NEPA. Likewise, in the case of new circumstances or information arising, NIJ, with the assistance of the Recipient, will determine if any additional environmental impact analysis is necessary. The approval will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an NIJ conducted environmental impact review process.



Department of Justice
Office of Justice Programs
National Institute of Justice

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**
Cooperative Agreement

PROJECT NUMBER

2008-DN-BX-K094

PAGE 1 OF 1

This project is supported under FY08(NIJ - COPS DNA/Forensics) Pub. L. No. 110-161, 121 Stat. 1897, 1910; 28 USC 530C

1. STAFF CONTACT (Name & telephone number)

Minh Nguyen
(202) 305-2664

2. PROJECT DIRECTOR (Name, address & telephone number)

Daniel Burhans
Asst Chief of Crime Laboratory
Suffolk County Crime Lab
P.O. Box 6100
Hauppauge, NY 11788-0099
(631) 853-5588

3a. TITLE OF THE PROGRAM

NIJ FY 08 Forensic DNA Backlog Reduction Program Formula Grant Announcement

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

FY 2008 Forensic DNA Backlog Reduction Program - Suffolk County Crime Laboratory, New York

5. NAME & ADDRESS OF GRANTEE

Suffolk County
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2008 TO: 03/31/2010

8. BUDGET PERIOD

FROM: 10/01/2008 TO: 03/31/2010

9. AMOUNT OF AWARD

\$ 280,905

10. DATE OF AWARD

09/16/2008

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

This program furthers the U.S. Department of Justice's mission by offering an opportunity for States and units of local government with existing crime laboratories that conduct DNA analysis to improve DNA laboratory infrastructure and analysis capacity so that DNA samples can be processed efficiently and cost effectively, as well as to analyze backlogged forensic DNA casework. These improvements are critical to preventing future DNA backlogs and to helping the criminal justice system use the full potential of DNA technology.
nea/naf

From: Burhans, Daniel
Sent: Thursday, September 18, 2008 12:04 PM
To: Kagan, Carolyn
Subject: OJP - Financial Guide - Part II - Chapter 2 Conditions of Award and Acceptance



Part II - Chapter 2: Conditions of Award and Acceptance

Highlights of Chapter

- Award Document
- Award Notification and Acceptance Procedures
- Special Conditions
- Federal Obligation Process
- Automated Clearing House Enrollment

Award Document

After completion of the internal review process, the applications designated for approval are formally awarded through the issuance of an award. This document includes:

- Name of recipient;
- Project/Budget Period;
- Grant or Cooperative Agreement;
- Amount of Federal funds;
- Vendor number;
- Award number (also known as grant number); and
- Special conditions, as appropriate, that the recipient must meet if the award is accepted.

Correspondence concerning the award should refer to the designated award number shown on the award document.

Award Notification and Acceptance Procedures

Notification of award approval is sent by e-mail. The individuals identified in the application as the Point of Contact and the Authorizing Official will receive an e-mail through the OJP Grants Management System (GMS). GMS automatically issues the notifications at 11:55 p.m. on the award date. The notification provides information on how to access and view the award documents in GMS and provides instruction on how to accept the award.

The award document constitutes the operative document obligating and reserving Federal funds for use by the recipient in execution of the program or project covered by the award. Award recipient must formally accept the award. If the recipients fail to affirm their timely utilization of the award by accepting WITHIN 45 DAYS from the date of the award, the obligation may be terminated without further cause. COPS awards have a 90-day acceptance timeframe.

To accept the award, the recipients must go into the GMS system and designate a Financial Point of Contact (FPOC). The FPOC will be responsible for the financial administration of the award. The FPOC may be the same as the Program Point of Contact (PPOC), or may be one or more separate individuals designated by the recipient. The designation of the FPOC must be completed in the GMS system before the award acceptance documents can be printed. Once the FPOC has been designated, grant recipients should:

1. Print and read the award document carefully.
2. Have the award document signed and dated by the Authorized Recipient Official designated in the application to indicate full acceptance of all terms, and conditions. The name of this person is pre-printed on the award document.

NOTE: If the name of the person accepting the award is not the name preprinted on the award document, a grant adjustment notice (GAN) must be submitted by the grant recipient to explain the reason for the change. The award acceptance document will be REJECTED if it is signed by anyone other than the Authorizing Official named on the award document unless a GAN has been approved.

3. The Authorized Official should also initial the bottom right corner of each page of the special conditions to signify agreement.
4. The signed award document and the special conditions should be faxed to the Office of the Chief Financial Officer, Control Desk, at 202-353-8475. The original signed award document should be retained by the award recipient in their official file for the award.

NOTE: By signing the award acceptance, the recipient acknowledges that the Project Director must be an employee of the recipient's organization.

If a grant recipient does not accept the award and all the terms and special conditions, they should contact their OJP Program Manager to determine if modifications are needed, or if the award should be closed and funds deobligated. No Federal funds will be disbursed to the recipient until the signed acceptance and special conditions have been received by the awarding agency.

Questions concerning award notification and/or acceptance may be directed to the Office of the Chief Financial Officer, Customer Service Branch, at 1-800-458-0786

Special Conditions

These are incorporated as terms and conditions of the award. They may include special provisions for additional submissions, audit, conferences and disposition of program income.

1. **All awards** will include special conditions concerning: (a) compliance with this Guide; (b) the submission of an Equal Employment Opportunity Plan if required; (c) compliance with the audit requirements; and (d) compliance with the Anti-Lobbying Act (page 121). Failure to comply with special conditions will result in withholding of funds.

Also, the recipient, upon accepting the award, agrees to complete and keep on file, as appropriate, the U.S. Citizenship and Immigration Services Employment Eligibility Verification form (I-9). This form is to be used by recipients of Federal funds to verify that persons are eligible to work in the United States.

2. **Commercial Award** recipients receiving grant funding from OJP should be aware of the additional special conditions placed on these awards. In addition to the (4) special conditions referenced in the "All Awards" section, commercial organizations must agree not to make a profit as a result of an award and not to charge a management fee for the performance of an award. Also, commercial organizations must agree to comply with the Federal Acquisition Regulations cost principles.
3. **Information Technology (IT) Award** recipients are prohibited from drawing funds against the award until the recipient notifies the State IT Point of Contact of the IT project by written correspondence. This correspondence should include a brief description of the project. A copy of the correspondence should be sent to the grant manager. Once the copy has been received, the grant manager will retire this condition and inform the recipient of this action. If there is no State IT Point of Contact, the recipient agrees to submit a letter to the grant manager stating that this condition is not applicable for that reason. The intent of this condition is to facilitate information system communication. This condition does not require that the point of contact concur with or approve the IT project. See the list of [State Information Technology Points of Contacts](#).
4. **Cancellation for Block and Formula Subawards.** The State must condition each block and formula subaward to include the following cancellation procedures.
 - a. **Commencement Within 60 Days.** If a project is not operational within 60 days of the original start date of the award period, the subrecipient must report by letter to the State the steps taken to initiate the project, the reasons for delay, and the expected revised start date.
 - b. **Operational Within 90 Days.** If a project is not operational within 90 days of the original start date of the award period, the subrecipient must submit a second statement to the State explaining the implementation delay. Upon receipt of the 90-day letter, the State may cancel the project and request Federal agency approval to redistribute the funds to other project areas. The State may also, where extenuating circumstances warrant, extend the implementation date of the project past the 90-day period. When this occurs, the appropriate subaward files and records must note the extension.

Federal Obligation Process

After an award has been signed by the Federal awarding agency, the amount of the award is considered an obligation of the Federal government and is recorded as such in its accounting system. Appropriated funds are thereby reserved against the award until all monies are expended by the recipient and subrecipient or, in the case of nonutilization of funds within statutory or other time limits, appropriated funds would revert to the awarding agency through deobligation of the unused balance.

On the award date, the recipient of the award is notified of award approval and obligation. Upon award acceptance, in order for a recipient to receive payment of funds obligated in OJP's accounting system, they must be in compliance with award conditions enumerated in the award document. In addition, they must be in compliance with all reporting requirements. All grantees are required to submit Financial Status Reports (SF 269A) for each grant on a quarterly basis for the life of the grant. Progress Reports are also required for discretionary grants, on a semi-annual basis. Funds will not be disbursed if reports are delinquent.

NOTE: If the award date is after the begin date of the award, the first SF 269A submitted to OJP should cover the period from the begin date of the grant period to the end of the calendar quarter in which the award was made.

Automated Clearing House Enrollment

The ACH Vendor/Miscellaneous Enrollment Form provides OJP with banking information used to establish electronic funds transfer. Recipients are required to submit the completed ACH form which must bear the original signature of the authorized official of the recipient's financial institution. If you are a new grant recipient, the ACH form may be found in Appendix I of this Guide, or you may download it from [Standard Forms](#).

If the grant recipient has an active award, you do not have to submit a new ACH form for each new grant. However, if you would like to revise your current ACH form, you may do so at any time.

The original signed ACH document must be submitted to the Office of Justice Programs, Control Desk at 810 Seventh Street, NW., Washington, DC 20531. The ACH information is used by the U.S. Department of the Treasury to transmit payment data, by electronic means, to the recipient's financial institution. Failure to provide the requested information will delay or prevent the receipt of payments.

[Back to Financial Guide](#)

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

To: Liza Wright
From: Carolyn Kagan
Date: September 19, 2008
Subject: Resolution Request - CN

Forensic DNA Backlog Reduction Program FY 08- NIJ
Budget Period 10/01/08- 03/31/10
001-4734
Revenue Code 4320
Reporting Category - not needed

Please write a resolution with a Certificate of Necessity (see attached) to accept and appropriate 100% Federal grant funds directly from the US Department of Justice, National Institute of Justice for the above mentioned program. The award is \$280,905 and the full amount needs to be appropriated. The appropriations are as follows:

	<u>\$280,905</u>
PERSONAL SERVICES:	<u>10,000</u>
1120 Overtime Salaries	10,000
EQUIPMENT:	<u>160,777</u>
2020 Office Machines	5,195
2080 Medical, Dental, Lab Equipment	138,782
2090 Photographic Equip	16,800
SUPPLIES, MATERIALS & OTHER:	<u>41,378</u>
3370 Medical, Dental, Lab Supplies	41,378
FEES FOR SERVICES:	<u>68,750</u>
4560 Fees for services, Nonemployees	
Fairfax Identity Labs	68,750

Thank you for your help. Backup is attached and will be faxed.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1814-2008**

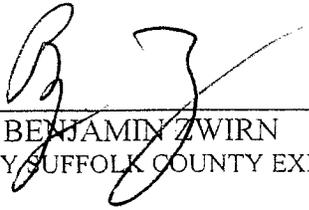
1814
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2008

**RESOLUTION NO. -2008, AMENDING THE 2008
OPERATING BUDGET TO FUND A MIDDLE INCOME HOME
ENERGY ASSISTANCE PROGRAM (MI-HEAP) TO PROTECT
RESIDENTS OF SUFFOLK COUNTY AGAINST A COLD
WINTER.**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE THE DEPARTMENT OF SOCIAL
SERVICES HAS WORKED WITH LEGISLATOR HORSLEY TO AMEND
INTRODUCTORY RESOLUTION 1814-2008 AFTER THE AMENDED COPY
DEADLINE AND A CN IS NEEDED BECAUSE THE HEAP PROGRAM BEGINS
ON NOVEMBER 1, 2008 BEFORE THE NEXT GENERAL MEETING OF THE
LEGISLATURE.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

10 OCT 14 6:00 38
SUFFOLK COUNTY EXECUTIVE
BENJAMIN ZWIRN

REVISED AS OF 10/10/08

Intro. Res. No. 1814-2008

Laid on the Table 9/16/2008

Introduced by Legislators Horsley, Beedenbender, Stern, Romaine, Gregory, Vilorio-Fisher, Cooper and Browning

**RESOLUTION NO. -2008, AMENDING THE 2008
OPERATING BUDGET TO FUND A MIDDLE INCOME HOME
ENERGY ASSISTANCE PROGRAM (MI-HEAP) TO PROTECT
RESIDENTS OF SUFFOLK COUNTY AGAINST A COLD
WINTER**

WHEREAS, the National Energy Assistance Directors' Association (NEADA), which represents State-run low income energy assistance programs, recently predicted that home heating oil costs will hit record levels this winter and that families in the Northeast will be hardest hit; and

WHEREAS, home heating oil costs are expected to hit record highs in the Northeast this winter with a single typical household delivery expected to cost more than \$850, a 70% increase from last winter's typical home heating oil delivery of \$500; and

WHEREAS, an average household usually requires four home heating oil deliveries from December through March, with the NEADA predicting the national average cost to heat a home with oil this winter at \$2,593, up more than 32% from last winter's national average of \$1,962; and

WHEREAS, the NEADA conducted a national survey of utility arrearages and shutoffs and found that millions of elderly households face severe hardships paying arrearages from last winter's heating bills, and the real threat of actual shutoff of service; and

WHEREAS, the NEADA survey noted that, as a conservative estimate, at least 1.2 million households have been disconnected from electric and natural gas service, and that the level of shutoffs are likely to go higher as utility companies complete credit and collection procedures; and

WHEREAS, the President's proposal for FY 2009 Low Income Home Energy Assistance Program (LIHEAP) funding includes a cut of 22 percent, reducing the block grant from \$1.98 billion to \$1.7 billion and the emergency contingency fund from \$590.3 million to \$300 million, with Federal officials reporting that LIHEAP funding may run out before December; and

WHEREAS, over 750,000 lower and middle income New Yorkers, including thousands of senior citizens, and as many as 23,952 Suffolk County residents rely on federal funding to sustain heating throughout the cold winter months; and

WHEREAS, the income of many Suffolk County residents may be too high to qualify under the Federal HEAP benefit standards, but still be left struggling to pay their winter heating bills; and

WHEREAS, Suffolk County residents must not be left struggling to pay their energy bills to stay warm this winter, therefore, it is in the economic and public health interest of Suffolk County to fund a Middle Income Home Energy Assistance Program (MI-HEAP) to insure the well-being of Suffolk residents this winter in the event Federal funding falls short; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes

positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that a Middle Income Home Energy Assistance Program (hereinafter referred to as MI-HEAP) is hereby established and shall be administered by the Department of Social Services and shall provide \$500 to eligible households. Middle Income HEAP eligibility shall be based upon the income guidelines established under the Federally funded HEAP increased by thirty-five percent (35%) to determine eligibility for MI-HEAP funds; and be it further

2nd RESOLVED, that all applicants whose income qualifies such applicant for federally funded HEAP shall be funded solely through Federally funded HEAP and that only those applicants who are income ineligible for the Federally funded HEAP by not more than thirty-five percent (35%) shall be funded by MI-HEAP; and be it further

3rd RESOLVED, that all prescribed documentation that is required for the Federally funded HEAP Program shall also apply to MI-HEAP; and be it further

4th RESOLVED, that the MI-HEAP Program shall be administered by the Department of Social Services, which shall promulgate all policies, procedures, terms and conditions establishing eligibility for and implementation of the MI-HEAP Program, including the creation of a flat fee structure of \$500 for each eligible client where applicable; and be it further

5th RESOLVED, that the MI-HEAP Program shall close operations on December 31, 2008 or until the funds that have been authorized are exhausted, whichever occurs first; and be it further

6th RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY</u>	<u>AMOUNT</u>
001	PKS	7110	0000	4980	Parks, Rec & Conservation	-\$175,000
001	DSS	6005	0000	4980	DSS: Administration	-\$325,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY</u>	<u>AMOUNT</u>
001	DSS	6144	0000	4690	Supplemental Heating Assistance Program	+\$500,000

and be it further

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1814

IR Year: 2008

Introduced By: DuWayne Gregory, Jon Cooper, Steven Stern, Wayne Horsley, Vivian Vilorio-Fisher, Brian Beedenbender, Kate Browning, Edward Romaine

Title of Proposed Resolution:

Amending the 2008 Operating Budget to fund a Middle Income Home Energy Assistance Program (MI-HEAP) to protect residents of Suffolk County against a cold winter.

Purpose and Intent of Proposed Legislation:

This resolution amends the 2008 Operating Budget and establishes a Middle Income Home Energy Assistance Program (MI-HEAP) for households that are not eligible for the Federal HEAP program, but have incomes up to 35% above the Federal HEAP eligibility guidelines. The MI-HEAP program would provide as much as \$800 to eligible households and be administered by the Department of Social Services (DSS) in accordance with the policies, procedures, terms and conditions promulgated by DSS. The program ends on December 31, 2008, or when the authorized funds are exhausted, whichever comes first.

Detailed Explanation of Fiscal Impact:

There is no fiscal impact as a result of this resolution that utilizes \$175,000 in authorized but unspent 2008 Operating Budget funding from Parks (001-PKS-7110-4980-0000) and \$325,000 from DSS (001-DSS-6005-4980-0000) as the required offset.

If applicable, what is the comparison cost if this is undertaken in-house, compared to an outside contractor or vendor? N/A

Total Financial Cost and timing over five years on each affected political or other subdivision: N/A

Proposed Source of Funding: General Fund.

Total Estimated Financial Impact on all Funds, tax rates, and property tax: N/A

Total Estimated Financial Impact on Suffolk County's economy including the impact on goods or services, economic development, small business activity, employment opportunities and overall business activity:

N/A

Authorized Signature


**Gail Vizzini, Director
Budget Review Office**

Date Completed

09/18/08

Analyst Code

DD

Revised 3:00 pm

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2008**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹⁹⁶⁶ - 2008

**RESOLUTION NO. -2008, AUTHORIZING PUBLIC
HEARINGS RELATIVE TO PROPOSALS AND PLANS SET
FORTH IN THE REPORT PREPARED BY HORAN,
MARTELLO, MORRONE, P.C. DATED MAY, 2008 ON THE
MANAGEMENT AND OPERATION OF THE JOHN J. FOLEY
SKILLED NURSING FACILITY**

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE ECONOMIC CONDITIONS ARE
WORSENING BY THE DAY AND MEASURES NEED TO BE TAKEN TO
ADDRESS THE LOOMING FISCAL CRISIS FACING THE COUNTY OF SUFFOLK.
BY HOLDING PUBLIC HEARINGS THE COUNTY OF SUFFOLK WILL BE ABLE
TO REVIEW AND DETERMINE THE MOST FISCALLY AND SOCIALLY
PRUDENT OPTIONS AVAILABLE.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

98:10-14-08

08:10-14-08

Revised as of 10/14/08 3:00 pm

Intro. Res. No. 1966 -2008

Laid on Table 10/14/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING
PUBLIC HEARINGS RELATIVE TO PROPOSALS AND
PLANS SET FORTH IN THE REPORT PREPARED
BY HORAN, MARTELLO, MORRONE, P.C.
DATED MAY, 2008 ON THE MANAGEMENT AND
OPERATION OF THE JOHN J. FOLEY SKILLED
NURSING FACILITY**

WHEREAS, on August 10, 2006 a request for proposals was issued for management consultant services relative to the management and operation of the John J. Foley Skilled Nursing Facility (hereinafter "Foley"); and

WHEREAS, pursuant to Suffolk County Charter § 38-1(C), notice of the request for proposals was filed with the Clerk of the Legislature on August 8, 2006 (Exhibit "A") and

WHEREAS, on March 27, 2007, Horan, Martello, Morrone, P.C. (hereinafter "HMM") was chosen to conduct a comprehensive study of the management and operation of Foley; and

WHEREAS, HMM issued its report, dated May, 2008 of its findings with recommendations, copies of which were previously distributed to the Legislators, and the Executive Summary, which is annexed hereto as Exhibit "B"; and

WHEREAS, HMM gave a presentation of its findings on June 5, 2008 to the Legislature of Suffolk County; and

WHEREAS, Section A9-6 of the Suffolk County Code requires that, in the event a proposal or plan to provide services at the County's skilled nursing facility is submitted to the County Executive for the purpose of providing these services through entities other than Suffolk County Government and/or the Suffolk County Department of Health Services, using employees other than employees of the County of Suffolk, then at least two public hearings shall be held by the County Executive and two public hearings shall be held by the County Legislature on the particular proposal or plan; and

WHEREAS, it is also prudent to adopt a dual approach to explore and compare all budget mitigating options by pursuing requests for proposals to transfer ownership and/or operation and management of Foley to an entity other than Suffolk County; now, therefore be it

1st RESOLVED, that the County Executive and the County Legislature shall each hold public hearings in both the western portion of Suffolk County and the eastern portion of Suffolk County, at locations to be determined within a reasonable time subsequent to the adoption of this resolution, for consideration of the proposals and plans set forth in the HMM study dated May, 2008; and be it further

2nd RESOLVED, that the County Executive and the County Legislature shall have completed the four (4) required public hearings by November 15, 2008; and be it further

3rd RESOLVED, that the aforesaid hearings to be held by the Legislature shall be set by the Presiding Officer, to be held by November 15, 2008; and be it further

4th RESOLVED, that the County Executive is hereby authorized, empowered, and directed to issue requests for proposals and/or expressions of interest to transfer ownership and/or operation and management of Foley to an entity other than Suffolk County; and be it further

5th RESOLVED, that within two weeks following receipt of the County Executive's final recommendations on the proposals submitted in response to the requests for proposals and/or expressions of interest, the Presiding Officer shall schedule and conduct two additional Legislative public hearings, for further consideration of the proposals and recommendations of the County Executive; and be it further

6th RESOLVED, that after thorough legal and financial analysis and review, only the more fiscally and socially prudent options set forth hereinabove, as determined by resolution, shall be pursued.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Exhibit A

OFFICE OF THE CLERK
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

08 AUG 8 P 2:48

RECEIVED

TO: Tim Laube, Clerk of The Suffolk County Legislature
FROM: Jean M. DiNunzio, Chief Purchasing Agent
DATE: August 8, 2006
RE: Notice of Advertisement of Request(s) for Proposals

Per Resolution #19 - 2005, please be advised that the following RFQ/RFP(s) will be advertised in the Smithtown News and Smithtown Messenger on 08/10/06.

RFP 6-22986 Request for Proposals to provide Consultant Services to Enhance Operation of the John J. Foley Skilled Nursing Facility on Behalf of Suffolk County for the Suffolk County Department of Health Services

JMD/rss

cc: Charles J. Bartha, PE, Commissioner

SUFFOLK COUNTY LEGISLATURE



CLERK'S OFFICE

August 8, 2006

To: All Legislators

From: Tim Laube
Clerk of the Legislature

Subject: Notification of RFP's

The attached written notification of RFP's from the following Departments and Agencies have been filed with the Clerk of the Legislature.

TL:db

Exhibit B

HMM

HORAN, MARTELLO, MORRONE, P.C.

**JOHN J. FOLEY
SKILLED NURSING FACILITY
OPERATIONAL STUDY REPORT**

REPORT TO:

THE SUFFOLK COUNTY EXECUTIVE

AND

THE SUFFOLK COUNTY LEGISLATURE

MAY 2008

Prepared by:

HORAN, MARTELLO, MORRONE, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

527 Townline Road, Suite 203

Hauppauge, New York 11788

Phone: (631)265-6289

Fax: (631)265-6523

www.horanmm.co

CERTIFIED PUBLIC ACCOUNTANTS

EXECUTIVE SUMMARY

In 2007, the County of Suffolk selected Horan, Martello, Morrone P.C. (HMM) to conduct an operational study of the John J. Foley Skilled Nursing Facility (JJFSNF) in Yaphank, New York based on HMM's submission to RFP #06/22986 issued November 2006. The impetus for the County's RFP was the continued operating losses being sustained by JJFSNF, and the projection for increasing losses in the coming years.

JJFSNF is operated by the Suffolk County Department of Health Services (SCDHS). Losses of the magnitude experienced at JJFSNF have a significant impact on the County of Suffolk's General Fund, and on the taxpaying residents of Suffolk County. In commissioning this study, the County sought to make an informed decision about the future of JJFSNF. In considering any disposition option, the County's topmost priority was, and is, the safety and well-being of JJFSNF's current residents. Second to that is the financial impact to County taxpayers.

A 2007 study conducted by the Center for Governmental Research Inc. (CGR), on behalf of the County Nursing Facilities of New York, Inc., arrived at the following conclusion: "a number of changes are occurring in the ways in which long-term care services are being provided and funded, and...demands are increasing for different types of services at lower levels of care that enable older persons and persons with disabilities to remain in independent, community-based settings for longer periods of time. These trends and new directions have significant implications for the future of county skilled nursing facilities."¹ Indeed, market conditions for long-term care in Suffolk County have shifted from skilled nursing to other more independent and community based options.

¹ Center for Governmental Research, Inc., *County Nursing Facilities in New York State: Current Status, Challenges and Opportunities*, September 2007, p. 8.

For many years, JJFSNF was considered to be a last refuge, a place for people who had no other place to go. That perception lingers even today. This image may arise from its beginnings in 1871 as a county "almshouse," but the current environment in long-term care means that all skilled nursing facilities are eligible to receive payments from Medicaid. The previously held belief that JJFSNF was the only nursing facility to take uninsured patients no longer applies. Uninsured and underinsured patients can be treated at any of Suffolk County's 43 skilled nursing facilities.

The Long-Term care market in Suffolk County is competitive, unlike rural or non-NYC counties. Skilled nursing facilities in Nassau and Suffolk are "struggling to fill their beds"² due to excess bed capacity according to the Long Island Regional Advisory Committee's (LIRAC) report to the Commission on Health Care Facilities in the 21st Century (the "Berger Commission"). As such, the LIRAC report goes on to recommend that "no new beds...be built on Long Island for 5-10 years"². The 43 skilled nursing facilities in Suffolk County compete for patients to fill more than 8,500 beds. They compete not only with each other, but with programs offering alternatives to traditional inpatient Long-Term care, such as Long-Term Home Health, Assisted Living, Community-Based Care (certified home health agency), and Continuing Care Retirement Communities (CCRCs). Patients in Suffolk County have more choices than ever before regarding how, when and where skilled nursing care will be provided. In addition to fierce competition, the reduced occupancy levels in Suffolk County skilled nursing facilities also means that patients once considered "hard to place" are viewed more favorably.

John J. Foley Skilled Nursing Facility (JJFSNF) has operated at a loss for many years and that loss continues to grow each year. Rising labor and employee benefit costs combined with declining intergovernmental transfer (IGT) payments

² Commission on Health Care Facilities in the 21st Century, *Findings of the Long Island Regional Advisory Committee*, October 2006, pp. 48-49

and shortfalls in third-party reimbursement from Medicaid make it costly for JJFSNF to fulfill its mission statement: providing the finest possible care to those who come to them, whether as long-term residents, for short-term care, sub-acute rehabilitation, or as part of their Adult Day Care program³.

The audited annual financial statements of JJFSNF show that the County of Suffolk (the County) has subsidized nearly \$47 million of losses incurred by JJFSNF since 2000 in order to enable the skilled nursing facility to carry on its mission. In addition to two previously prepared studies⁴, Horan, Martello, Morrone, P.C. (HMM) was selected through an RFP process to perform a third study to analyze the operations at JJFSNF. The operational study prepared by HMM identifies the reasons for the consistent losses, what portions of the losses could be controlled by management, and what portions are outside managements' control. HMM has made recommendations for skilled nursing facility management that will allow the County to improve the operations of JJFSNF. In the worst case scenario, the HMM study demonstrates that if no corrective actions are taken by JJFSNF management or the County to improve the operations of JJFSNF, projected operating losses could be in excess of \$51.4 million cumulatively over the next three years. In the best case scenario, even with cost saving and revenue enhancing efforts by JJFSNF management and the County, losses at JJFSNF are estimated to be in excess of \$28.6 million cumulatively over the next three years.

³ <http://www.co.suffolk.ny.us/health/jjfsnf/aboutus.html>

⁴ The two studies are (1) Suffolk County Blue Ribbon Health Panel Report to the County Executive, 1997, and (2) John J. Foley Skilled Nursing Facility Task Force Report to the Suffolk County Executive and Suffolk County Legislature, 2004.

Operational Study Findings

HMM examined financial shortfalls at JJFSNF to determine the composition and nature of the growing losses between calendar periods. Schedules were prepared to highlight the areas that generated the incremental increases in loss from 2000 to 2006. The net 2000 operational loss before County subsidy and IGT was \$2,577,979. The loss increased to \$11,501,326 by 2006 for several reasons. First, revenues decreased incrementally over the trend factor⁵ by \$1,683,027, primarily due to an occupancy reduction of 2.18 percent (from 99.47 percent to 97.29 percent) and second, a 10-point case mix⁶ reduction (from 1.29 to 1.19). Compounding the loss, Medicare utilization decreased thirty-five percent (35%).

HMM also ascertained that expenses to operate JJFSNF increased incrementally over the trend factor by \$7,240,320. That total consists of increases in a variety of expense categories: labor costs over trend factor accounted for \$1,187,224, increases in full-time equivalents (FTEs⁷) totaled \$388,531 and agency nursing fees rose from \$0 in 2000 to \$966,037 (14 FTEs) in 2006. Labor intensive costs, such as group health insurance (\$1,535,288), union pension (\$1,610,630) and other benefits (\$518,525) increased incrementally over the trend factor by \$6,206,238, or eighty-five percent (85%) of the total expense increase. Additionally, shared services⁸ incrementally increased between periods by \$519,051, and bad debt on accounts receivable balances increased by \$1,292,454. The Medicaid reimbursement rate at JJFSNF will not keep pace with cost increases in labor, liability insurance, utilities and prescription drugs because JJFSNF's costs after the 2002 base period have dramatically exceeded the

⁵ The trend factor is a percentage increase given in Medicaid reimbursement to take into account inflation from one year to the next.

⁶ The New York State DOH has established a system of reimbursement rates that increase with the needs of the resident. The index of patient acuity used by the DOH is called the case mix index (CMI). A higher CMI indicates that the facility serves relatively sick persons and those with high medical services needs. A person requiring more medical attention raises a facility's CMI, and a healthy person lowers it.

⁷ See definition of FTE at Attachment 5 A.

⁸ Costs allocated to JJFSNF for services provided by the County such as repairs and maintenance, utilities, and labor services.

Medicaid trend factor, putting a major strain on the County to subsidize increasing losses.

HMM categorized the incremental losses from 2000 to 2006 into controllable and uncontrollable loss. HMM began working on the goal of building a budget that reduced expenditures and increased revenues as a means to minimizing future County subsidization of operating deficits at JJFSNF.

The loss of \$11,501,326 in 2006 was segregated into the categories "controllable" and "uncontrollable", reflecting which items can and cannot be influenced by management of JJFSNF. The findings show that approximately \$5,353,000 (46 percent) of the loss is controllable and the remainder of the loss, \$6,166,000 (54 percent), is uncontrollable. This analysis did not consider the cost effects of GASB 45 because that standard was not yet included in regulations in 2006. If GASB 45 is considered in the analysis, the uncontrollable and controllable loss percentages are estimated to be approximately 70 percent and 30 percent, respectively.

Although certain losses were deemed "controllable" in this study, it should be noted that controlling losses related to bad debts, payer mix, occupancy and staffing is not an easy task. There are non-financial aspects of change management must consider including, but not limited to, the following:

- Concerns of the staff
- Concerns of the union
- The overall skilled nursing environment
- The mission of JJFSNF

All aspects of change, including corporate culture and operational procedures, must be considered before a change can be implemented and become successful.

The table to follow illustrates the projected losses without any loss reduction action taken, reduction of controllable costs, revenue enhancements and projected losses after loss reduction actions have been taken for 2008, 2009, and 2010.

Summary Three Year Operational Projection (In millions)

		BUDGET COMPARISON		
	(\$15.0)	\$3.6	\$1.7	(\$9.7)
	(\$17.1)	\$4.8	\$1.9	(\$10.4)
	(\$19.3)	\$6.6	\$4.2	(\$8.5)
	(\$51.4)	\$15.0	\$7.8	(\$28.6)

The questions faced by the County are what level of funding they are willing to provide to cover JJFSNF's growing losses, and at what point is operation of a skilled nursing facility by the County no longer a prudent course of action in light of regional availability for the same services.

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

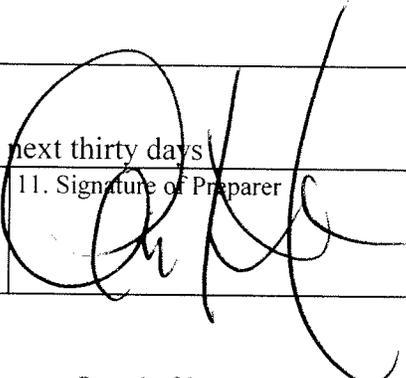
COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING PUBLIC HEARINGS RELATIVE TO PROPOSALS AND PLANS SET FORTH IN THE REPORT PREPARED BY HORAN, MARTELLO, MORRONE, P.C. DATED MAY 2008 ON THE MANAGEMENT AND OPERATION OF THE JOHN J. FOLEY SKILLED NURSING FACILITY.		
3. Purpose of Proposed Legislation		
Authorizing public hearings by both the County Executive and Suffolk County Legislature in both the western and eastern portion of Suffolk County on the above noted plans and proposals. Authorizing the County Executive to issue a request for proposal and/or an expression of interest to transfer ownership and/or operation and management of the John J. Foley Skilled Nursing Facility to an entity other than Suffolk County.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No ___		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No Impact at this time – only Public Hearings		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
None		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Hearings are to take place within the next thirty days		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Allen M. Kovesdy Director of Management and Research		October 14, 2008

SIN FORM 175b (10/95)

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2008**

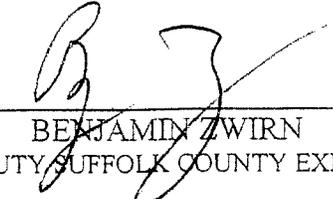
1969
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2008

**RESOLUTION NO. -2008, AUTHORIZING THE
DISBURSEMENT OF FUNDS FROM THE SUFFOLK
COUNTY LIVING WAGE CONTINGENCY FUND
FOR COLONIAL YOUTH & FAMILY SERVICES,
INC., LAZY COW, INC. DBA KIDDIE CARE EARLY
LEARNING CENTER, THE COMMUNITY
PROGRAMS CENTER OF LONG ISLAND, INC. -
PORT JEFFERSON AND RAINBOW CHIMES, INC.,
DAY CARE PROVIDERS UNDER CONTRACT WITH
THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2008, BECAUSE PAYMENTS NEEDS TO BE EXPDITED.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

Intro. Res. No. 1969-08

Laid on Table 10/14/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AUTHORIZING THE
DISBURSEMENT OF FUNDS FROM THE SUFFOLK
COUNTY LIVING WAGE CONTINGENCY FUND
FOR COLONIAL YOUTH & FAMILY SERVICES,
INC., LAZY COW, INC. DBA KIDDIE CARE EARLY
LEARNING CENTER, THE COMMUNITY
PROGRAMS CENTER OF LONG ISLAND, INC. -
PORT JEFFERSON AND RAINBOW CHIMES, INC.,
DAY CARE PROVIDERS UNDER CONTRACT WITH
THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, in accordance with Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Colonial Youth & Family Services, Inc., and Lazy Cow, Inc. dba Kiddie Care Early Learning Center, The Community Programs Center Of Long Island, Inc. - Port Jefferson And Rainbow Chimes, Inc., day care providers, have submitted an application for Hardship Assistance and other prescribed forms to document the need for financial assistance, and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy, and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$188,002 be awarded for the period January 1, 2008 to December 31, 2008 and,

WHEREAS, the Living Wage Hardship funding will be provided to Colonial Youth & Family Services, Inc. (\$2,899), and Lazy Cow, Inc. dba Kiddie Care Early Learning Center (\$77,590), The Community Programs Center Of Long Island, Inc. Port Jefferson (\$48,095) and Rainbow Chimes, Inc., (\$59,418) in the amount up to a maximum of \$188,002; now, be it

RESOLVED, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$188,002

TO:

001-DSS-6015-4770 Client Benefits Special Services \$188,002

and be it further

RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Colonial Youth & Family Services, Inc., and Lazy Cow, Inc. dba Kiddie Care Early Learning Center, The Community Programs Center Of Long Island, Inc., Port Jefferson and Rainbow Chimes, Inc.,

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval:

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY LIVING WAGE UNIT

DATE: September 23, 2008

TO: Robert T. Zielinski

Suffolk County Dept. of Social Services

3085 Veterans Memorial Highway

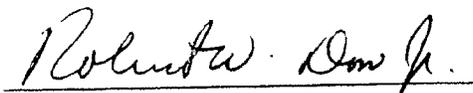
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Community Programs Center of Long Island, Inc. (Port Jefferson)** has been received and examined by the *Living Wage* Unit for the amount of \$48,095.00

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.



Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE UNIT*

DATE: September 8, 2008

TO: Robert T. Zielinski

Suffolk County Dept. of Social Services

3085 Veterans Memorial Highway

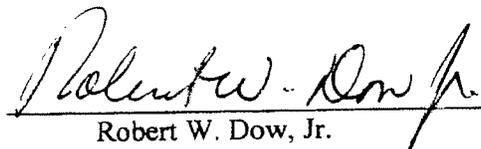
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Rainbow Chimes, Inc.** has been received and examined by the *Living Wage Unit* for the amount of \$59,418.00.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage Unit* authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage Unit* at (631) 853-3808.



Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

SUFFOLK COUNTY DEPARTMENT OF LABOR - LIVING WAGE UNIT**NOTICE OF DECISION ON HARDSHIP ASSISTANCE**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY LIVING WAGE UNIT

DATE: July 16, 2008

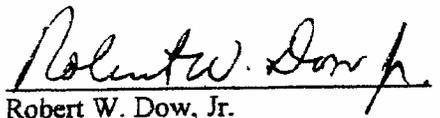
TO: Robert T. Zielinski
 Suffolk County Dept. of Social Services
 3085 Veterans Memorial Highway
 Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Colonial Youth & Family Services, Inc.** has been received and examined by the *Living Wage* Unit for the amount of \$2,899.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.


 Robert W. Dow, Jr.
 Commissioner
 Suffolk County Department of Labor

LW-31
 Revised 4/04

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**NOTICE OF DECISION ON HARDSHIP ASSISTANCE**

Living Wage Law, Suffolk County Code, Chapter 547 (2001)

TO BE COMPLETED BY LIVING WAGE UNIT**DATE:** July 16, 2008

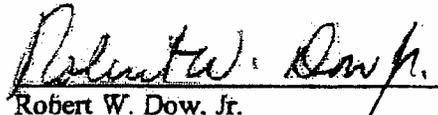
TO: Robert T. Zielinski
 Suffolk County Dept. of Social Services
 3085 Veterans Memorial Highway
 Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Lazy Cow, Inc. DBA Kiddie Care Early Learning Center** has been received and examined by the *Living Wage* Unit for the amount of \$77,590.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.


 Robert W. Dow, Jr.
 Commissioner
 Suffolk County Department of Labor

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR COLONIAL YOUTH & FAMILY SERVICES, INC., LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON AND RAINBOW CHIMES, INC., DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES</p>		
3. Purpose of Proposed Legislation		
<p>Disburse funds from the Suffolk County Living Wage Contingency Fund to provide a subsidy to Colonial Youth & Family Services, Inc., (\$2,899) and Lazy Cow, Inc. dba Kiddie Care Early Learning Center (\$77,590), The Community Programs Center Of Long Island, Inc. Port Jefferson (\$48,095) and Rainbow Chimes, Inc., (\$59,418) in the amount up to a maximum of \$188,002. The subsidy is for the purpose of providing financial assistance to meet the wage standards required by the law for the period 1/1-12/31/08.</p>		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. See item 7.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
<p>This resolution requests the disbursement of up to a maximum of \$188,002 from the Suffolk County Living Wage Contingency Fund for the period 1/1-12/31/08.</p>		
8. Proposed Source of Funding.		
The Suffolk County Living Wage Contingency Fund (001 – MSC – 1998 – 4770)		
9. Timing of Impact.		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Theresa M. Lollo Principal Financial Analyst		10/14/08

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. - 2008**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹⁹⁷² - 2008

**RESOLUTION NO. -2008, AMENDING THE 2008
CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH
REPLACEMENT OF THE GOTO PROJECTOR AT THE
VANDERBILT MUSEUM AND PLANETARIUM (CP 7452)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE
CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-
9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE
IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. - 2008,
BECAUSE SEVERAL LEGISLATORS AND THE DIRECTOR OF THE VANDERBILT
MUSEUM HAVE EXPRESSED THE NEED FOR THE PROJECT TO MOVE FORWARD.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO
BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
FOURTEENTH DAY OF OCTOBER, 2008.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

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09 OCT 14 2008

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1972

Intro. Res. No. -2008
Introduced by Legislator Viloría-Fisher

Laid on Table 10/14/2008

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF THE GOTO PROJECTOR AT THE VANDERBILT MUSEUM AND PLANETARIUM (CP 7452)

WHEREAS, the Executive Director of the Suffolk County Vanderbilt Museum and Planetarium has requested planning funds to replace the aging GOTO projector at the Vanderbilt Planetarium; and

WHEREAS, funds for the GOTO Projector planning, design, and supervision phase, Capital Project 7452.110, were appropriated by Resolution No. 1280-2000; and

WHEREAS, the planning, design, and supervision stage of this project has sunset under Local Law No. 15-2002, Suffolk County, New York A Charter Law Establishing Common Sense Capital Project Sunset Policy for Suffolk County; and

WHEREAS, funding for the planning, design, and supervision phase, Capital Project 7452.110 must be re-appropriated for the project to move forward; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization is required on any amendments which are not financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 59 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	\$1,715,000	\$1,815,000 B	\$1,715,000 B
TOTAL	\$1,715,000	\$1,815,000	\$1,715,000

Project Number: 7452

Project Title: Replacement of GOTO Projector at the Vanderbilt Museum and Planetarium

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
1. Planning, Design, Supervision	\$100,000	\$0 B	\$100,000 B
TOTAL	\$3,000,000	\$1,400,000	\$1,500,000

and be it further

3rd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7452.111	Replacement of GOTO Projector at Vanderbilt Museum and Planetarium	\$100,000

and be it further

4th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

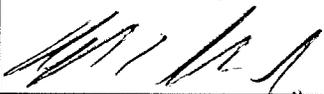
DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. ---2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF THE GOTO PROJECTOR AT THE VANDERBILT MUSEUM AND PLANETARIUM (CP 7452)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		October 14th, 2008

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$22,542	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$22,542	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds 5
 Amount to Bond: \$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$18,416.65	\$4,125.00	\$22,541.65	\$22,541.65
			\$1,682.66	\$1,682.66	
11/1/2009	4.125%	\$19,176.34	\$1,682.66	\$20,858.99	\$22,541.65
			\$1,287.14	\$1,287.14	
11/1/2010	4.125%	\$19,967.36	\$1,287.14	\$21,254.50	\$22,541.65
			\$875.32	\$875.32	
11/1/2011	4.125%	\$20,791.01	\$875.32	\$21,666.33	\$22,541.65
			\$446.50	\$446.50	
11/1/2012	4.125%	\$21,648.64	\$446.50	\$22,095.15	\$22,541.65
		\$100,000.00	\$12,708.24	\$112,708.24	\$112,708.24